IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 27098 of 2003

Between:

D.P. Hussain Miah, S/o. Balapullaiah
R/o. Allagadda Town & Mandal, Kurnool District.

..... PETITIONER

AND

A.P.State Finance Corporation, Rep. by its Asst. General Manager, Opp: Birla House, B-Camp, Kurnool.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order or direction, more particularly in the nature of Writ of Mandamus declaring the action of the respondent in proceeding with the auction of properties for recovery of loan amount as arbitrary, illegal and consequently direct the respondent not to proceed with the auction of the properties of the petitioner.

Counsel for the Petitioner : MR.P.NAGENDRA REDDY

Counsel for the Respondent : MR.Y.N.LOHITA

The Court made the following :

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O R D E R:

The petitioner seeks to assail the action of the respondent in proceeding with the conduct of auction of the properties of the petitioner for recovery of the loan amount.

From a perusal of the record, it is seen that no interim orders have been granted in the interlocutory application filed seeking stay.

Having regard to the fact that the proposed auction has already been conducted in the year 2003, the prayer in the writ petition has become infructuous.

The writ petition is accordingly dismissed as infructuous. No costs.

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23-09-2004

prv/lvl

Sd/-

Assistant Registrar

To

1. A.P.State Finance Corporation, Rep. by its Asst. General Manager, Opp: Birla House, B-Camp, Kurnool.

2. 2CD copies